## Najarian R. Peters

# Associate Professor of Law University of Kansas School of Law Faculty Associate Berkman Klein Center for Internet & Society at Harvard Law School 337-564-2156 <u>najarian.peters@ku.edu</u> <u>npeters@cyber.harvard.edu</u>

# ACADEMIC EXPERIENCE

UNIVERSITY OF KANSAS SCHOOL OF LAW, Lawrence, KS, <u>Associate Professor of Law</u> (2020present)

*Courses taught*: Torts, Privacy Law, The Practice of Privacy Law, and Marginalized Bodies in Literature, Medicine, and the Law

*Community Service:* Executive Committee Member, Association of American Law Schools Children and the Law Section; Faculty Advisor, KU Privacy and Cybersecurity Law Student Organization; Advisory Board Member, Let's Talk About Privacy, MIT Lab/Center for Civic Media; Board Member, Green Aid

HARVARD UNIVERSITY, Cambridge, MA, <u>Faculty Associate</u>, Berkman Klein Center for Internet & Society, Harvard University (2019-present)

**SETON HALL LAW SCHOOL,** Newark, NJ, <u>Inaugural Faculty Fellow and Assistant Professor</u>, Institute for Privacy Protection (2017- 2020)

Courses taught: Blockchain, Intellectual Property, and the Law (Spring of 2019)

 Academic Conferences Designed and Convened: New and Nontraditional Actors in Privacy and Social Media Regulation (2017); Artificial Intelligence and the Law (2018), Privacy, Power, & Ethics (2019);
Child Privacy In The Information Age (November 15th, 2019)

Committee Assignments & Community Service: Summer Faculty Colloquia Committee (Summer 2017); Honor Council (2017-2020); Title IX Ad Hoc Committee (2018-2019), Admissions Committee

(2018-2019); Dean's Diversity and Inclusion Committee (2018-2020), Co-Advisor to BLSA (2017-2020), Faculty Reading Group founder (2018-2020); Monthly Rosary Group co-founder (2018-2020);

## GRANTS

ROTATING CO-PI, THE ANDREW W. MELLON FOUNDATION, UNIVERSITY OF KANSAS HALL CENTER, STORIES FOR ALL, *THE JURISPRUDENCE AND CHILD PRIVACY PRAXIS OF BLACK AND NATIVE HOME EDUCATION 2020-2023* 

## PUBLICATIONS

Books

Marronage and Modernity: Privacy, Technology, and Black Liberation, forthcoming University of California Press, (Forthcoming 2023)

## Law Review Articles and Essays

The Golem In The Machine: FERPA, Dirty Data, and Digital Distortion in the Education Record, Work in Progress, Washington and Lee Law Review, Vol 78:5 (2022)

Parallel Pandemics: The American Problem of Anti-enforcement, Rational Distrust and COVID-19, Seton Hall Law Review Vol. 52 (2021)

The Soft Shoe and Shuffle of Law School Hiring Committee Practices, UCLA Law Review Discourse, 69 UCLA L. Rev. Disc. (2021).

*The Right To Be and Become: Black Home-Educators As Child Privacy Protectors, Michigan Journal of Race and Law Vol. 25.1 (August 2020)* 

#### Works in Progress

Passing to Plessy: Racial Privacy as Tradition

The Promise of FERPA: Anti-subordination, Equity and Data Integrity

# **TEACHING & RESEARCH INTERESTS**

Privacy, Child Law, Torts, Contracts, Corporate Governance, Compliance and Ethics (Healthcare), Administrative Law, Professional Responsibility, Jurisprudence, Emerging Technology and Critical Theory

# SELECTED PRESENTATIONS

The Golem In The Machine: FERPA, Dirty Data, and Digital Distortion in the Education Record, University of Kansas, Hall Center for the Humanities, May 2021

Parallel Pandemics and Rational Distrust, Guest Lecturer, Marginalized Bodies & Medicine In Literature, University of Kansas Department of English, April 2021

The Urgency of Radical Self-Care, University of Kansas Center for Teaching Excellence Learning Community, April 2021

The Golem In The Machine: FERPA, Dirty Data, and Digital Distortion in the Education Record, Drake Law School, April 2021

Comparative Digital Privacy Seminar, Guest Lecturer, Harvard Law School, March 2021

Inaugural Virtual Privacy Praxis Conference, created and convened, University of Kansas School of Law February 2021

The Urgency of Radical Self-Care, University of Kansas Center for Teaching Excellence, February 2021

Privacy Law Opportunities, University of Kansas School of Law, February 2021

The Golem In The Machine: FERPA, Dirty Data, and Digital Distortion in the Education Record, Missouri University School of Law, December 2020

The Golem In The Machine: FERPA, Dirty Data, and Digital Distortion in the Education Record, Washington & Lee School of Law, November 2020 Regulatory Regimes: How The EU and U.S. Approach the Regulation of Privacy, Healthcare, and Artificial Intelligence, Seton Hall Law Review Symposium, November 2020

First Meditation: Radical Self-Care As Anti-Fragility/Past is Present, Berkman Klein Center for Internet & Society October 2020

Engaging Community Trust Through Policy Prototyping, Let's Talk About Privacy Webinar Series, MIT Lab/Center for Civic Media, June 2020

Blockchain, Cannabis, and Privacy, Webinar, International Cannabis Bar Association, March 2020

Blockchain, Cannabis, and Fintech, Webinar, International Cannabis Bar Association February 2020

The Right To Be and Become: Black Home-Educators As Child Privacy Protectors, University of Kansas School of Law, November 2019

Child Privacy and Artificial Intelligence, Gamm Symposium at Tulane University Law, November 2019

Child Privacy and Artificial Intelligence, Second Istanbul Privacy Symposium: Law, Ethics, and Technology, Istanbul Bilgi University, Istanbul, Turkey, Invited November 2019

Black Parents As Child Privacy Protectors, Lutie Lytle Conference and Writing Workshop, Summer 2019

Black Parents As Child Privacy Protectors, Privacy Law Scholars Conference, Summer 2019

Black Parents and Child Privacy Protection, 4 th National People of Color Legal Scholarship Conference, Spring 2019

General Data Protection Regulation and Blockchain, NJICLE Corporate Counsel Institute Panel on AI, Spring 2019

What Life Sciences Companies Need to Know About Employee Use of Social Media, Porzio Compliance Forum, Seton Hall Law School, Spring 2018

African-American Homeschooling: Parental Protection of Child Privacy and Personhood, Lutie Lytle Conference and Writing Retreat, Summer 2018

Artificial Intelligence and the Law, Future of AI, Seton Hall Law Conference, Spring 2018

TMI: The Privacy Risk of Social Media Addiction, Institute for Privacy Protection School Outreach Program, Fall 2017

DSRIP-NY and Telehealth, Panasonic N.A., Health and Wellness Business Unit, Fall 2016

Patient Privacy and Telehealth, Panasonic N.A., Health and Wellness Business Unit, Spring 2015

HIPAA & Patient Privacy Protection, Robert Wood Johnson Medical School, Fall 2012

Stanford v. Roche: Getting Our Contracts Right, Compliance Committee, Robert Wood Johnson Medical School, Fall 2011

Fair Market Value Analysis Under Stark and Anti-kickback, Robert Wood Johnson Medical School, Spring 2009

Cultural Competencies: Physicians and Compliance Administrators, Research Compliance, Weill Cornell Medical School, Fall 2008

A Poisoned Gift? Primary Healthcare and Dependency in Post-Apartheid South Africa; Alliance For International Minority Scholars Conference, Atlanta, Georgia, Summer 2003

Monetary Policy and Dollarization in Nicaragua and Cuba, Study Abroad Student Conference, Xavier University of Louisiana, Fall 2002

I Hear You, Do You Hear Me?: Community Health Needs, Social Capital, and Communication in Post Apartheid South Africa; Valley Trust, Bothas Hills, South Africa, Summer 2001

# **EDUCATION**

NOTRE DAME LAW SCHOOL, South Bend, Indiana, Juris Doctor (2006)

*Honors:* Joseph Ciraolo Memorial Award for a law student who exemplifies spirit, service, and significant achievement in the face of adversity; Africana Studies Book Award for community service for coordinating the Erskine A. Peters Fellowship and research conducted in support of the Africana Studies Program process of becoming an academic department at the University of Notre Dame; Center for Social Concerns Grant and Fellowship in support of creating and teaching the undergraduate seminar Seminar, *Environmental Justice and Human Rights In the Aftermath of Hurricane Katrina* 

XAVIER UNIVERSITY OF LOUISIANA, New Orleans, Louisiana, Bachelor of Arts (2002)

*Honors:* Dean's List; Alliance for International Minority Scholars Fellowship (Brown University & School for Oriental and African Studies)/London, UK & Durban, South Africa, researched community needs and social capital at The Valley Trust Primary Healthcare Facility; Compton Scholarship (School for International Training)/Managua, Nicaragua & Havana, Cuba, researched revolution, transformation, and civil society, Thesis: *The De facto Process of Dollarization in Nicaragua* 

# PROFESSIONAL EXPERIENCE

**Panasonic North America,** Newark, NJ, <u>Compliance Manager</u>, Health & Wellness Solutions Business Unit (2015-2017)

Steered development and monitoring of compliance program, Managed HIPAA Privacy and Security reviews/audits, Managed relationship with cloud services vendor, Reviewed payment models under Medicare

Advantage Plans such as BC/BS Empire, Reviewed payment codes for tele-health/telemedicine under Medicare and Medicaid, Developed SOPs, policies, and procedures for new tele-health product, Advised senior leadership on regulatory environment concerning commercialization of new tele-health product, Reviewed all vendor contracts and legal documents in support of business unit operations, Developed position papers on tele-health programs supported by federal and state sponsored sources, Developed case-studies on tele-health and healthcare disparities, Developed strategy for FDA premarket notification process

**Self-employment**, Newark, NJ, <u>Healthcare and Privacy Compliance Consultant</u> (2014-present) Reviewed contracts, Developed codes of conduct, Developed privacy policies and procedures, Reviewed healthcare compliance policies and procedures, Guided research and development of tele-health technologies, and Provided staff and senior leadership/executive level training and education on privacy, ethics and corporate compliance

#### National Healthcare Associates (NHCA), Long Island, NY, <u>Chief Compliance/Privacy Officer and Risk</u> <u>Manager</u> (2013-2014)

Established the parameters for the Corporate Compliance, Risk Management and Privacy Program, Reviewed Medicare policies for SNFs and rehabilitation facilities, Advised Director of Managed Care on HIPAA and contract requirements, Drafted the compliance plan and code of conduct for the following affiliates: pharmacy company, therapy company, and 34 long term care facilities, Negotiated service contracts that decreased contractual escalators from 5% to 1.75% across all NHCA non-Accountable Care Organization contracts and agreements, Audited business practices related to contract management and federal requirements totaling over \$3.5million

## Rutgers Biomedical and Health Sciences, New Brunswick, NJ, <u>Senior Compliance and HIPAA Privacy</u> <u>Officer</u>, Office of Ethics, Compliance and Corporate Integrity (2009-2013)

Advised senior management on compliance and clinical services contracting matters totaling over \$150million FY 2010-2012, Performed HIPAA reviews, investigations, and advised senior leadership on corrective action plans, Audited +600 physicians for Medicare and MedicareAdvantage compliance, Developed policies and procedures for Medicare compliance for physician practice, Developed contractual fair market value analysis methodology used and replicated on New Brunswick and Newark campuses, Managed Federal Corporate Integrity Agreement for Robert Wood Johnson Medical School, Cancer Institute of New Jersey, School of Public Health, and the Eric B. Chandler Community Health Center, Directed internal investigations and reviews on highly sensitive and confidential matters, Liaised with external agencies in relation to confidential investigations as needed, Chaired Monthly Compliance Operations Committee, Co-Chaired Dean's Quarterly Compliance Committee, Developed analysis and procedure for hospital-based services, Advised Robert Wood Johnson Medical School Faculty Practice on compliance matters concerning labor unions and resident labor unions (Council on Interns and Residents), Advised senior leadership on intellectual property matters following Stanford University v. Roche Molecular Systems Inc., Advised the SVP of Compliance and Director of Operations on Research Compliance and program evaluation matters including federal grants, contracts, export controls, conflicts of interest, and human subject protections, Increased physician compliance results by 64% in FY 2009-2010 through the development and implementation of new physician training program

# Weill Cornell Medical College, New York, NY, <u>Research Compliance Senior Auditor/Specialist</u>, Office of Research Compliance (2007-2009)

Audited contracts and grants based on federal requirements, Developed contract review processes, Reviewed clinical trial agreements, Directed contract negotiations between educational and electronic auditing tool consultants, Developed communication and program evaluation plan for strategic initiatives 2007-2009,

Advised and served as member on Compliance Executive Committees, Evaluated academic departments' internal controls and compliance with policies and procedures, Monitored data inconsistencies between electronic auditing tools (COEUS and the new effort tracking system), Served as research compliance liaison between Weill Cornell Medical College and Doha, Qatar campus, Served as research compliance liaison for academic departments, Grants and Contracts Office and the National Institutes of Health

## Capital Area Human Services Mental Healthcare District, Baton Rouge, LA, <u>Compliance</u> <u>Coordinator/Policy Analyst</u> (2006-2007)

Developed patient communication plan post-Hurricane Katrina, Monitored corrective action plans for process improvement and patient safety, Researched and advised Executive Management on HIPAA Regulations, Created and maintained database for policies and documentation on behavioral health, Reviewed contracts, Edited and assisted with legal analysis of District policies, Advised Executive District Committee on Joint Commission on the Accreditation of Healthcare Organizations policies concerning patient safety and information management, Prepared reports, findings, and budgets for Pharmacy Program, Provided training, education, and consultations on Medicare Part D

## Lake Charles Memorial Hospital, Lake Charles, LA, <u>Emergency Room Coordinator/Insurance</u> <u>Compliance Reviewer</u> (2002-2003)

Trained incoming coordinators on hospital compliance policies concerning registration, payments and billing, Reviewed all insurances including private and government policies, Liaised with the collections department and prepared reports, Conducted patient registration

# **BAR ADMISSION**

New Jersey